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SUMMARY RECORD OF THE 11th MEETING

Chairman:	Mr. AL-SHAALI	(United Arab Emirates)
later:	Mr. ALFARO PINEDA	(Costa Rica)
later:	Mr. AL-SHAALI	(United Arab Emirates)

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The meeting was called to order at 3.05 p.m.

AGENDA ITEM 92: ELIMINATION OF RACISM AND RACIAL DISCRIMINATION (continued) (A/46/3 (chap. IV, sect. A), A/46/18, A/46/166, A/46/183, A/46/184, A/46/344, A/46/391, A/46/447, A/46/465, A/46/493, A/46/501, A/C.3/46/2, E/1991/39)

AGENDA ITEM 93: RIGHT OF PEOPLES TO SELF-DETERMINATION (continued) (A/46/166, A/46/184, A/46/292, A/46/294, A/46/304, A/46/344, A/46/459, A/46/501)

1. Mrs. GEBRE-EGZIABHER (Ethiopia) said that among the measures that had represented important strides towards the elimination of racism and racial discrimination, which had been a noble objective of the United Nations ever since its foundation, the adoption of the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid were landmark achievements. It was regrettable that after four and a half decades of struggle, and near the end of the Second Decade to Combat Racism and Racial Discrimination, many people were still denied their fundamental human rights and freedoms.

2. As Mr. Houshmand had noted in his introductory statement, the resurgence of racial discrimination against vulnerable groups was a matter of grave concern. It was necessary to continue the fight against such discrimination beyond the Second Decade and to take concrete action commensurate with the seriousness of the problem to ensure that justice and equality would prevail. In addition, adequate resources must be allocated for the implementation of the Programme of Action for the Second Decade.

3. She welcomed the positive developments in South Africa, where the pillars of the apartheid regime were being shaken. However, the conditions set forth in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted at the sixteenth special session of the General Assembly, had not been fully realized. The international community should therefore continue to exert pressure on the South African Government until it was convinced that the situation in that country was irreversible.

4. Her delegation wholeheartedly welcomed the peace accord concluded in Johannesburg on 14 September, which it hoped would speed up negotiations and end the violence which had claimed many victims. The South African Government should refrain from any acts that fuelled fratricidal conflict, which was detrimental to the process of change. In that regard, she was alarmed by the indication in the report of the Special Rapporteur (A/46/459) that mercenaries were being used by the forces opposing change.

5. She emphasized the importance of the International Convention on the Suppression and Punishment of the Crime of Apartheid, whose effective implementation would help to eliminate apartheid. As a member of the Group of Three which monitored the implementation of the Convention, Ethiopia called upon States parties which had not yet done so to fulfil their reporting obligation under that instrument.

(Mrs. Gebre-Egziabher, Ethiopia)

6. Her delegation also urged States parties to fulfil their financial obligations so that the Committee on the Elimination of Racial Discrimination could continue to hold its two regular sessions each year, and to explore ways of providing it with the necessary support on a permanent basis.

7. With respect to self-determination, the transitional Government of Ethiopia had adopted a charter which recognized the right of peoples to self-determination. It gave nationalities and ethnic groups the right to establish organizations, to promote their culture, history and language and to carry out the process of democratization which would culminate in the holding of national elections within two years.

8. With respect to the question of Palestine, she hoped that the Palestinian people would soon enjoy its right to self-determination in accordance with the relevant United Nations resolutions. Because of its geographical proximity, Ethiopia looked forward to the speedy establishment of peace in the region.

9. Lastly, she expressed her country's ardent hope that the peace processes under way in South Africa, the Middle East and elsewhere would bear fruit and that the major problems which had long been under consideration by the Committee would be resolved.

10. Mrs. VARGAS DE ZADOFF (Costa Rica) said that her delegation wished to emphasize its unconditional commitment to the universal realization of the right of peoples to self-determination and the speedy granting of independence to colonial countries and peoples. The effective exercise of the right to self-determination was the first step in the social development of peoples. Costa Rica understood the self-determination of peoples to mean not only the autonomy and freedom of a nation vis-à-vis the rest of the world's countries, but also the real and effective power of a people to determine its own destiny and to establish a democratic government. Her country therefore welcomed the seven new States Members of the Organization, especially the Baltic States.

11. Her delegation, which believed that a people whose political rights were curtailed could not participate actively in the search for solutions to its problems, had always fought for the granting of independence to all territories under the colonial yoke.

12. Costa Rica was pleased that Kuwait had regained its independence, sovereignty and territorial integrity, but stressed that the thousands of Kuwaiti prisoners and hostages still detained by the Iraqi regime, in flagrant violation of Security Council resolutions, must not be forgotten. It was likewise concerned about the situation of civilian populations in Iraq, especially the Kurds and the Shiites.

13. With respect to the problem of the Middle East, her delegation called upon all parties concerned to discuss and peacefully resolve their differences through the proposed peace conference on the Arab-Israeli conflict and the

(Mrs. Vargas de Zadoff, Costa Rica)

question of Palestine, thereby harmonizing the interests of all parties to the conflict and respecting the human rights of all the peoples of the region. She hoped that all the parties would demonstrate good will so that they could reach a definitive Middle East peace agreement.

14. With respect to the situation in Central America and the Caribbean, she welcomed the considerable progress made in El Salvador thanks to the good offices of the Secretary-General and his Special Representative, and urged the international community to give vigorous support to the agreement concluded between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN). With respect to Haiti, Costa Rica was deeply concerned about the use of violence, military coercion and human rights violations in that country, and trusted that the legitimate Government would be restored and that human rights would be respected in the immediate future.

15. Her delegation was pleased to note the agreement to organize a referendum on self-determination in Western Sahara, and felt that the measure was an important step towards a just and lasting solution to that conflict. With regard to the situation in Cyprus, Costa Rica had consistently supported the legitimate rights of the Cypriots to self-determination and independence.

16. On the subject of racism and racial discrimination, her delegation reiterated its unwavering determination to support the elimination of all forms of racial discrimination. In that context, she noted the activities of the United Nations during the two decades of struggle against racism and considered it appropriate to declare a third decade starting in 1993. Priorities and actions must be coordinated, at both the national and international levels, if the goals established were to be reached.

17. With reference to the situation in South Africa, she was concerned that despite the current process of change, continual outbreaks of violence could undermine efforts to establish a united and democratic South Africa free from racial problems.

18. She cited the words addressed to the General Assembly by Mr. Niehaus Quesada, President of Costa Rica, to the effect that wherever human rights were violated, the peace and prosperity of all the peoples of the earth were endangered. In conclusion, she recalled that the 500th anniversary of the discovery of America would soon be commemorated, and said that there was another discovery worthy of mention: that self-determination, democracy, economic freedom and the brotherhood of peoples were indispensable components of economic development, social welfare and, finally, lasting peace in the world.

19. Mr. Alfaro Pineda (Costa Rica) took the Chair.

20. Mr. WALKER (Jamaica) said it was unfortunate that racism and racial discrimination were still prevalent in the contemporary world; accordingly,

(Mr. Walker, Jamaica)

the complete eradication of racism must remain a high priority in the programme of activities of the United Nations.

21. Jamaica had always firmly opposed any form of racism and racial discrimination and, in accordance with that policy, had ratified several international instruments relating to the question. Furthermore, both the Jamaican Constitution and Jamaican domestic legislation guaranteed that all persons were treated equally, regardless of colour, race or creed.

22. The adoption and the enforcement of national legislation incorporating international human rights instruments were of crucial importance in the struggle against racism. Jamaica was making efforts in that regard in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid.

23. Since the fight against racism and racial discrimination was universal, all United Nations activities to eliminate racism must be supported. Accordingly, Jamaica welcomed the efforts of the Committee on the Elimination of Racial Discrimination and of the Subcommission on Prevention of Discrimination and Protection of Minorities. Consultation and coordination between the two bodies would lead to more effective action by the United Nations to fight the scourge of racism.

24. With regard to the proposed proclamation of a third decade to combat racism and racial discrimination, Jamaica agreed with the Subcommission that the international community must take urgent steps to eradicate apartheid completely and to combat all other forms of racial discrimination, including those practised against indigenous peoples, migrant workers and other vulnerable groups.

25. Since racial discrimination against vulnerable groups had increased in recent years, Jamaica welcomed the adoption of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the proclamation of 1993 as the International Year for the World's Indigenous People.

26. Jamaica had consistently denounced the abhorrent system of apartheid, a vicious form of institutionalized State racism which deprived citizens of their human rights and fundamental freedoms. Significant changes were taking place in South Africa; however, while welcoming the repeal of laws which had constituted the pillars of apartheid, as well as the agreement reached between the South African Government and the Office of the United Nations High Commissioner for Refugees concerning the return of refugees and political exiles to South Africa, Jamaica condemned the violence which had claimed hundreds of lives despite the Peace Accord. That situation must cease so that negotiations could proceed and could lead to the establishment of a new South Africa.

(Mr. Walker, Jamaica)

27. Despite the reforms which had been introduced in South Africa, the ultimate objective of democracy, namely, the principle of "one person, one vote", had not been realized; accordingly, Jamaica did not believe that the moment was appropriate for the lifting of sanctions. The international pressure which had forced South Africa to change its position must be maintained and the sanctions must be lifted gradually until all vestiges of apartheid had been removed and a genuinely democratic and non-racial South Africa had been achieved.

28. In July 1991, Jamaica had been honoured by the visit of the distinguished President of the African National Congress, Mr. Nelson Mandela, and had assured him of its continued support for his efforts to dismantle apartheid by peaceful means.

29. The Centre against Apartheid and the Special Committee against Apartheid had made significant contributions to the actions carried out by the United Nations against apartheid and racism. The States Members of the United Nations must provide every kind of assistance to them so that they could fulfil their mandate more effectively.

30. In view of the increasing international cooperation in many areas, including the promotion of human rights, the opportunity existed to intensify efforts to eliminate racism and racial discrimination.

31. Mr. AL-KINDI (United Arab Emirates) said that the elimination of racism and racial discrimination and the right to self-determination were among the most important items entrusted to the Third Committee. It was necessary to eliminate apartheid completely and to ensure that all peoples enjoyed the right to self-determination. One of the basic objectives of the United Nations was to strengthen relations between States on the basis of the equality of rights of all peoples. The right to self-determination was deeply rooted in the history of countries which had been the victims of aggression and oppression. The United Nations had always defended the right to self-determination and had promoted activities relating to human rights. Many peoples had achieved freedom, independence and the exercise of the right to self-determination because of the resolutions adopted over the years by the United Nations.

32. The United Arab Emirates vigorously condemned all forms of racism and the violations of the rights of peoples who were still under colonial domination. Despite the repeal of some of the basic laws of apartheid, that system was still in place in South Africa and the regime had not changed its essential policy, which was based on racial discrimination; accordingly, the international community must continue to support the South African people in their just struggle against apartheid. The United Arab Emirates called upon South Africa to implement the relevant resolutions of the Security Council and of the General Assembly as well as the recommendations of the Second Decade.

(Mr. Al-Kindi, United Arab Emirates)

33. The United Arab Emirates welcomed the re-establishment of Kuwaiti sovereignty which had been achieved essentially through the positive role played by the United Nations.

34. One of the most striking examples of a people being denied the right to self-determination was that of the Palestinian people. Its land had been partitioned without its consent and Israel, through repression and terrorism, had expelled hundreds of Palestinians who had become refugees in many neighbouring countries.

35. Israel did not abide by the United Nations resolutions and denied the Palestinians the right to self-determination and the right to establish an independent State on Palestinian soil. Israel had even denied the very existence of that people and had systematically practised all forms of racial discrimination against the Palestinian people. In addition, its legislation distinguished between Israelis of Jewish origin and those of Arab origin. Its practices in the occupied Palestinian territory were based on discrimination and segregation in all areas.

36. The Palestinian people had suffered much more than any other people; if a new world order was to triumph and to survive, it was necessary to solve that problem and to ensure justice for that people. In his statement, the representative of Israel had attempted to ascribe to zionism the characteristics of freedom, equality and justice, but that was in conflict with reality. There were many examples which showed that Israeli laws were based on segregation and discrimination. Jews enjoyed many rights which were denied to non-Jews. If Israel wanted the world to believe that its laws were not based on racism, it should repeal them and should treat everyone as it treated its Jewish citizens.

37. Mr. JAMALI (Pakistan) said that self-determination was a principle which was fundamentally linked to human dignity; it represented the formal expression of the collective will of the people which, if denied, led to the grossest of injustices and, almost invariably, to conflicts and violence. Pakistan defended the right to self-determination not only because it was one of the main pillars of international human rights but also because, 44 years earlier, Pakistan had achieved independence as a result of the exercise of its right to self-determination.

38. His country welcomed the relaxation of international tensions, the universal movement towards democracy, freedom and cooperation and the growing respect for the deep-seated urge of peoples to exercise their right to self-determination. His delegation hoped that the changes which had occurred in the world would create an environment conducive to resolving conflicts which were a legacy of the past.

39. Unfortunately, at a time when there was a growing spirit of peace and understanding, there were areas which continued to suffer, such as the State

(Mr. Jamali, Pakistan)

of Jammu and Kashmir, where the intransigent attitude of India continued to deny basic human rights. The issue had remained on the agenda of the United Nations Security Council since 1 January 1948, when India had brought it before the United Nations. The United Nations Security Council and the United Nations Commission for India and Pakistan had mandated in their resolutions that the future of Jammu and Kashmir would be decided in accordance with the will of the people expressed through a free and impartial plebiscite conducted under the auspices of the United Nations. In that connection, it was relevant to draw attention, in particular, to Security Council resolution 47 (1948) and the resolutions adopted by the United Nations Commission for India and Pakistan adopted on 13 August 1948 and 5 January 1949. Those resolutions were still valid, and India and Pakistan, as parties to the dispute, were bound by them. The Simla Agreement of 1972 between India and Pakistan had categorically acknowledged that Kashmir was an outstanding issue that remained to be settled.

40. Security Council resolutions 91 (1951) and 122 (1957) had rejected India's often repeated assertion that the people of Jammu and Kashmir had already exercised their right to self-determination by participating in the so-called elections in the territory which had taken place under the control of the Indian authorities. Security Council resolution 122 (1957) had specifically recalled that "the final disposition of the state of Jammu and Kashmir would be made in accordance with the will of the people expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations".

41. Justice delayed was justice denied and, as there was a limit to everything in life at some point, it was neither strange nor unexpected that the people of Jammu and Kashmir had risen against years of humilitation at the hands of Indian authorities to demand their right to self-determination, a right solemnly pledged to them by India, Pakistan and the international community. The faith of those people in the United Nations must not be allowed to waver.

42. Regrettably, the legitimate demand of the people of Jammu and Kashmir to exercise their inalienable right to self-determination had been met with massive and indiscriminate use of force by the Indian armed forces. Nearly one-half million Indian military and para-military forces had been engaged to crush that spontaneous uprising of the Kashmiri people. There had been consistent reports of violations of every type of human right in an attempt to break the will of the Kashmiri people. During the past 21 months alone, over 5,000 innocent civilians, including women, children and old men, had been killed and many more had been injured or incapacitated. Even Indian human rights organizations, men of conscience and the media had acknowledged the grave human rights violations by Indian forces in the occupied territory.

43. The international community must exert moral and political pressure on India to desist from the use of force and allow the people of Jammu and

(Mr. Jamali, Pakistan)

Kashmir freely to exercise their inalienable right to self-determination. His country hoped that India recognized that it could not suppress the aspirations of the people of Jammu and Kashmir through coercion and repression. The only solution to the problem was to allow the people to exercise their right to self-determination as promised to them in the relevant resolutions of the United Nations Security Council. Pakistan, for its part, was committed to the peaceful settlement of the Jammu and Kashmir dispute on the basis of the relevant United Nations Security Council resolutions and in the spirit of the Simla Agreement of 1972. To that end, his country had always expressed its willingness to engage India in a constructive and meaningful dialogue.

44. Although the proud people of Afghanistan had succeeded in freeing their homeland from foreign domination, the armed conflict persisted. Efforts must be intensified to restore peace and enable millions of refugees to return home. The essential element of any settlement must be the transfer of power to a broad-based government representing the will and the aspirations of the Afghan people. His country had participated in extensive consultations with all the countries concerned and welcomed the five-point proposal of the Secretary-General.

45. The denial of the Palestinian people's inalienable right to self-determination was a continuing tragedy, and he paid a tribute to its valiant uprising. His country firmly believed that there could be no lasting peace in the Middle East without the withdrawal of Israeli troops from all Arab territories occupied since 1967 and without the restitution of the inalienable rights of the Palestinian people, particularly of the right to establish a state of its own in Palestine.

46. With regard to Cambodia, his delegation was confident that the efforts of the five permanent members of the Security Council and the ASEAN countries would prove fruitful in resolving the issue on the basis of the free exercise of the will of the Cambodian people.

47. One of the most important achievements of the United Nations had been the recognition of the right to self-determination of peoples under colonial or foreign domination. His delegation supported all steps necessary for an early transfer of all powers to the peoples of Trust and Non-Self-Governing Territories and other Territories which had not yet attained independence.

48. Mrs. BARGHOUTI (Observer for Palestine) said that despite the efforts of the international community, racism and the denial of the right to self-determination persisted in South Africa and Palestine. The heroic people of South Africa continued fighting for their liberation from apartheid and the people of Palestine were still struggling to put an end to Israeli occupation and its oppressive practices.

49. Palestinians living in Israel were subjected to systematic discrimination and were arbitrarily deprived of their fundamental human rights. The

(Mrs. Barghouti, Observer, Palestine)

authorities divided the population into "citizens" and "non-citizens", and the majority of Palestinians, whether Christians or Muslims, were in the latter category. The Law of Nationality had deprived thousands of Arabs living in Israel of their rights of citizenship. That discriminatory policy was derived from Zionist ideology, which defended equality in all countries except Israel.

50. The situation of Palestinians in the occupied territories was traumatic. The slogan "a land without people for a people without land" remained the cornerstone of Zionist ideology and of the policy of the Israeli authorities, which had designed legislative provisions to achieve their objective of creating an exclusive Jewish State in Palestine. The Law of Return permitted any Jew to emigrate to Israel and immediately obtain citizenship. The Law did not apply to Palestinians, who could not become citizens even if they had been born in the territory. Moreover, with the aim of reducing the Palestinian population, Israel had employed policies of expulsion, deportation and transfer of Palestinian inhabitants, along with a series of confiscatory laws which dispossessed Palestinians from land which had belonged to their families for generations.

51. She cited an article by an Israeli professor maintaining that Israel was an apartheid state and that apartheid not only manifested itself socially, but also was imbedded in the legal system. Israeli propaganda had not succeeded in concealing the atrocities committed against the Palestinian people or the racist nature of the regime. The Israeli justification was that discrimination existed in every society, but it was essential to note that in Israel discrimination was part of State policy. On that basis, the General Assembly had declared in its resolution 3379 (XXX) that zionism was a form of racism. Since the Israeli authorities continued to apply its racist laws, there were no grounds for repealing that resolution.

52. The Palestinian people would continue to struggle against the ideology and practice of zionism, a struggle which did not contradict their desire to live peacefully with the Israelis. The Palestine Liberation Organization had supported the demands by the international community for peace and stability in the Middle East and for recognition of the inalienable rights of the Palestinian people. Only a just and comprehensive solution to the Palestine question could bring justice to the Palestinians and peace to the region and the world at large.

53. Mr. ALI (Iraq) said that his country had participated in the efforts of the international community, under the leadership of the United Nations, to eliminate racism and racial discrimination. It had contributed to the activities of the two Decades and had become a party to the principal legal instruments in that field. He reaffirmed Iraq's support for the objectives of the Programme of Action and especially praised the role of non-governmental organizations.

(Mr. Ali, Iraq)

54. He also applauded the international activities - in particular those of the United Nations - that had made it possible to lend moral and material support to the victims of racial discrimination. However, racism and oppression were still practised in South Africa and the occupied Arab territories. He deeply regretted that the countries pressing for the respect of human rights and democracy unflaggingly supported those two racist regimes.

55. There had recently been calls for rescinding General Assembly resolution 3379 (XXX), which declared zionism a form of racism. The reasons on which the resolution was based were still valid, and, furthermore, the policy of racial discrimination practised by the Zionist authorities was harsher than ever. Zionism was the expression of a racist philosophy based on ethnic discrimination. According to Zionist principles, all Jews, because they belonged to an ethnic group, should establish an exclusive Jewish State and should immediately leave the country where they lived and go to the occupied Arab territories in order to seize the land from its rightful owners.

56. The reason that resolution 3379 (XXX) should not be rescinded was that for 50 years Israel had refused to comply with Security Council resolutions and to recognize the right of the Palestinian people to its territories. On the contrary, it encouraged the world's Jews to emigrate and expelled Palestinians to make room for Jews from the Soviet Union, other Eastern European countries and Africa. The promulgation of unjust laws for the purpose of expelling Arab citizens, confiscating their land and their water and destroying their homes had become a fundamental element of Zionist policy designed to intimidate the Arabs and force them to leave their homeland. For example, there was a law under which any Palestinian whose work kept him outside the territory for more than one year lost his citizenship and could not return to the country, while the Law of Return allowed any Jew anywhere in the world to go back to Israel whenever he wanted.

57. The rescission of resolution 3379 (XXX) would call into question all United Nations resolutions on the subject and would open the way for inserting in other resolutions whatever changes countries wished to make, according to their own interests. There was no reason to rescind the resolution, unless the international community wanted the United Nations to lose its credibility and become a hostage to the intransigence and arrogance of a particular State.

58. Iraq urged the international community to condemn the racist policies of South Africa and the Zionist entity. It also urged that resolution 33/79 (XXX) should be maintained until the Palestinian people could establish an independent State, with its capital in Jerusalem, under the leadership of its sole legitimate representative, the Palestine Liberation Organization.

59. Mr. HENNESSY (Ireland) welcomed the admission of seven new States to the United Nations and congratulated the three Baltic States on the peaceful manner in which they had been able to regain their independence.

(Mr. Hennessy, Ireland)

60. Elsewhere in the world, the right to self-determination had also been asserted, with United Nations support. For example, the Iraqi invasion of Kuwait had been rolled back, and it was now to be hoped that the Kuwaiti people would be able to enjoy freedom and full respect for human rights. In Cambodia and in Western Sahara, great strides had been made, and it seemed that success was finally within reach. It also appeared that the people of Afghanistan would soon be able to determine their own future, and in South Africa there were promising signs of change.

61. Ireland hoped that it would soon be possible to convene a peace conference on the Middle East that would take into account the right of the Palestinian people to self-determination and the right of all States in the region, including Israel, to exist within secure borders.

62. The United Nations had always given priority to the right to self-determination and had contributed in large measure to ending colonialism and foreign domination throughout the world. However, self-determination was more than the absence of foreign domination; it was also the right of a people to determine the political structures by which it wished to be governed. A number of countries in Eastern Europe and Africa had had the opportunity to exercise that right over the past two years, but unfortunately the trend was not universal.

63. His country believed that free elections with minimum restrictions on participation were essential, although not in themselves sufficient, for the realization of the right to self-determination. Each State should be responsible for the conduct of those elections, although in some cases, such as those of Namibia, Haiti and, recently, Liberia, United Nations assistance had been requested. The Organization could play a valuable role in that regard.

64. Ireland and its partners in the European Community had submitted a joint reply to the questionnaire circulated by the Secretary-General, pursuant to General Assembly resolution 45/150, on enhancing the effectiveness of the principle of periodic and genuine elections. They looked forward to the Secretary-General's report on the subject.

65. Recent events demonstrated that a healthy electoral process meant more than ensuring access to polling booths; it required guaranteeing and respecting other basic freedoms, such as freedom of speech, freedom of assembly and the right to have free access to information.

66. Questions of a related but different order were posed when a freely elected Government was violently overthrown, as had occurred in Haiti. Having provided a framework of international support for the elections, the United Nations should now endeavour to promote the speedy return to legality. With that in mind, his country had co-sponsored the resolution on Haiti adopted by the General Assembly the previous week.

(Mr. Hennessy, Ireland)

67. There was a growing interest in having the United Nations extend its activities in the electoral area. However, the Organization should only offer its services when the country in question was willing to accept international norms of human rights and other norms essential to the promotion of a genuine democracy.

68. The right of peoples to self-determination was now unquestioned. However, it was still not clear what constituted a people. Obviously, the United Nations was not the proper forum for defining that concept. However, it had a responsibility to promote the universal acceptance of what ought to be the guiding principles for solving the problems posed by the coexistence of different peoples, namely, the peaceful settlement of disputes through negotiation, and respect for fundamental human rights in all conflict situations.

69. Developments in Central and Eastern Europe had thrown those questions into sharp relief and been a reminder of the vulnerability of minorities. He hoped that the Commission on Human Rights working group on the subject would shortly be in a position to submit a draft declaration for consideration by the Commission and the General Assembly.

70. As the Irish Minister for Foreign Affairs had said in the general debate, it was incumbent on Governments to ensure that minorities enjoyed the basic human rights common to all and to give special protection where needed.

71. The problem of minorities, which was one of the sternest tests for society, was under scrutiny in the framework of the Conference on Security and Cooperation in Europe and was expected to figure at the World Conference on Human Rights to take place in Berlin in 1993.

72. Mr. Al-Shaali (United Arab Emirates) resumed the Chair.

73. Mrs. DINH THI MINH HUYEN (Viet Nam) said that although the United Nations had made progress in combating racism through implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, the international community still had a long way to go. Her delegation therefore supported the proposal for a third decade to intensify national and international efforts in that field.

74. Although some encouraging changes had taken place in South Africa, her delegation shared the view expressed by other delegations that apartheid itself remained intact and that the conditions contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa had not yet been met. The international community should therefore continue to support the South African people in their just struggle.

75. Promotion of the right of peoples to self-determination, as enshrined in the United Nations Charter, was one of the Organization's main tasks. In her

(Mrs. Dinh Thi Minh Huyen, Viet Nam)

delegation's view, realization of that right had a broader sense than the achievement of national independence and should include respect for the sovereign equality of States, independence and territorial integrity and the right of peoples to determine their own future and choose their own system of government.

76. There had been encouraging results over the past few years in the realization of the right of peoples to self-determination in different parts of the world. Viet Nam was particularly glad that a comprehensive political solution to the Cambodian question would soon be achieved, and reiterated its position, based on respect for the Cambodian people's sovereignty and right of self-determination and respect for the Charter of the United Nations: namely, to respect any decision of the Supreme National Council of Cambodia on all matters pertaining to Cambodian sovereignty.

77. For more than 40 years the Palestinian people had been denied their right of self-determination. She hoped that a fair and reasonable settlement of the Middle East question would soon be achieved and that the legitimate rights of the Palestinian people would be restored.

78. Viet Nam condemned the use of mercenaries. Her delegation had read the report by the Special Rapporteur of the Commission on Human Rights on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (A/46/459) and was surprised at the subjective and malevolent statement in paragraph 38 (a) regarding the Vietnamese forces which had withdrawn from Cambodia in 1989. Her delegation rejected the paragraph, which was totally groundless and a distortion of the situation in Cambodia.

79. Mr. SCIALOJA (Italy) said that his country had repeatedly condemned all forms of racism and racial discrimination. Unfortunately there were still too many instances of racial discrimination in the world and probably no society was totally immune.

80. In South Africa there had been some favourable changes. Italy remained committed to the abolition of apartheid by peaceful means and supported the process of change.

81. He hoped that the Arab-Israeli conflict in the Middle East would be settled and that both sides would abandon the dogmatic positions they had maintained for 40 years and which were now rendered obsolete by reality. Italy considered that the United Nations could no longer equate zionism with racism; that had been a controversial decision which had certainly not helped to pave the way for the success of peace initiatives.

82. The international community hoped for a speedy solution of the issue which recognized the legitimate rights of the Palestinian people, including the right of self-determination, as well as the right of all States in the region, including Israel, to live within recognized and secure borders.

83. Mr. AL-SABAH (Kuwait) said that the great changes that had taken place in the world had helped to resolve many regional conflicts. In that respect, the United Nations could play an active and fundamental role, as had been demonstrated at the time of the invasion of Kuwait.

84. The issues of racism and the right of peoples to self-determination were of fundamental importance to the international community. All Member States must endeavour to overcome the arrogance of those who operated discriminatory policies and must help the peoples who were fighting for their right of self-determination, in order to alleviate the suffering of thousands of people and help them to achieve their just aspirations.

85. Kuwait firmly believed that it would be impossible to create an international climate of peace and security until racial hatred had been eradicated. Kuwait therefore welcomed the changes introduced in South Africa, but much remained to be done. The black majority, whose aim was to express its will by democratic means, continued to be oppressed by a white minority which denied it, among other things, access to the country's economic resources. The United Nations had an important part to play in the final eradication of the loathsome apartheid regime. It must be remembered that, although the Government of Pretoria had adopted measures that the whole world welcomed, it had done so not as a gesture of spontaneous generosity but as a result of pressure by the black majority and the international community. Member States must therefore continue to apply sanctions until the objective was achieved.

86. The struggle of the Palestinian people and the United States initiative on a Middle East peace conference must also be supported. Israel must end its attitude of intransigence and the Palestinian people must at last be able to exercise their right of self-determination. Kuwait, inspired by its national Constitution, which was based on the principles of equality and justice for all men, would do everything possible to contribute to the achievement of that objective.

87. Ms. RAOELINA (Madagascar) said that her country was prepared to join forces with the international community, in particular the Special Committee against Apartheid and the Commission on Human Rights, so that the elimination of racism and racial discrimination could become a reality for millions of people.

88. She reviewed her country's origins and noted that, as a token of its active solidarity with the international community in the struggle against racial discrimination, her Government had acceded to the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol thereto. Her country used information and education as means to combat racial discrimination and had taken steps to promote tolerance and to contribute to the achievement of the objectives of the various international instruments.

(Ms. Raoelina, Madagascar)

89. Her delegation endorsed the measures adopted to coordinate the activities of the various United Nations bodies with a view to achieving the objectives of the Second Decade to Combat Racism and Racial Discrimination; it also supported the proclamation of a third decade to begin in 1993.

90. She emphasized the importance of the developments taking place in South Africa. Her country would continue to support all constructive initiatives aimed at hastening the process of change and, in that connection, she cited the statement made during the general debate by the Minister for Foreign Affairs of Madagascar to the effect that more determined progress towards the eradication of apartheid was needed.

91. Her delegation welcomed Security Council resolution 690 (1991) on the holding of a referendum in the Western Sahara, the forthcoming Middle East peace conference, and resumption of the dialogue between the parties involved in the Cyprus question.

92. It agreed with the Under-Secretary-General for Human Rights that never before had the opportunities for promoting respect for human rights been so great. It also favoured carrying out studies on the indivisibility of all human rights and on the relationship between human rights, democracy and development.

93. In conclusion, she stressed the comprehensive nature of the statement delivered by Mr. Houshmand, Director of the Implementation of International Instruments and Procedures Branch of the Centre for Human Rights and expressed satisfaction at the timely recommendations made by the Special Rapporteur on the question of the use of mercenaries, set forth in his report (A/46/459).

94. Mr. KASOULIDES (Cyprus) said that the Charter of the United Nations and the Universal Declaration of Human Rights had identified racism and racial discrimination as a scourge which had to be eradicated. Yet, the latest positive developments in the international political arena, which had freed the international community from the division between East and West, had unfortunately prompted a recurrence of discrimination and violence. That Pandora's box had been left open in many States, which were witnessing manifestations of racial hatred and intolerance directed towards minorities and other vulnerable groups. Cyprus was among the countries where one ethnic community was being manipulated from without.

95. It was no exaggeration to say that, at the end of the twentieth century, protection of minorities, protection of migrant workers and indigenous populations and the plight of refugees were becoming central elements in keeping the international community together. If that process was allowed to go unchecked, there was a risk that the international order would be shattered into a multitude of microentities, which would result in untold human suffering.

(Mr. Kasoulides, Cyprus)

96. Since the objectives of the Second Decade to Combat Racism and Racial Discrimination had not been attained, national and international efforts to combat manifestations of racial prejudice, racism and xenophobia must be intensified. Accordingly, Cyprus welcomed the proposal for a third decade to coordinate and revitalize those efforts.

97. His Government applauded the publication of the global compilation of national legislation against racism and racial discrimination and the elaboration of the model legislation for the guidance of Governments in the enactment of further legislation against racial discrimination; such studies should be encouraged in order to free humanity from its worst prejudices.

98. His delegation welcomed the proposal of the International Labour Organisation to establish a monitoring system for United Nations activities to ensure that no single racial or ethnic group was favoured over the other. That was one of the reasons for his delegation's deep concern over the lack of resources for the Centre for Human Rights and the financial difficulties faced by the Committee on the Elimination of Racial Discrimination. Cyprus favoured the establishment of a contingency reserve fund and felt that the highest priority should be accorded to implementing the work of those bodies. Moreover, the accomplishments of the Committee and those of the Subcommission on Prevention of Discrimination and Protection of Minorities deserved recognition; it was to be hoped that in the future both bodies would be able to fulfil their mandates in a more orderly fashion.

99. With respect to apartheid, he took note of the progress achieved in South Africa; however, apartheid had not disappeared and the South African people were still a long way from being liberated. His Government maintained no relations with South Africa and was in favour of maintaining sanctions, particularly economic sanctions, until fundamental changes had taken place which would safeguard the rights of all citizens. It was looking forward with interest to the outcome of the consultations among the Commonwealth Heads of Government, who were currently meeting in Harare, on the adoption of a new strategy for the application of sanctions in a realistic and pragmatic manner.

100. With respect to the issue of self-determination, he quoted from the Secretary-General's report and pointed out that the principle of self-determination was abused in a number of subtle ways in order to justify flagrant violations of the norms of international law and abuses of human rights. The essential point was that the principle of self-determination applied not only to the Non-Self-Governing Territories but also to the Trust Territories, based on Article 1 (2) of the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), on General Assembly resolution 2160 (XXI), and on the Final Act of Helsinki of 1975.

101. He gave a comprehensive analysis of the principle of self-determination, highlighting its internal and external aspects. He pointed out the

(Mr. Kasoulides, Cyprus)

ambiguities to which the interpretation of those two aspects had given rise and the possibility that self-determination might be used as a weapon against a State's territorial integrity and political unity. By way of example, he cited the situation that existed in his own country, where an occupying Power had manipulated that principle in order to claim separate self-determination for an occupied part of the territory of a sovereign State from which the majority of the population had been forcibly expelled. In his most recent report on the problem of Cyprus (S/23121), adopted by the Security Council in its resolution 716 (1991), the Secretary-General had condemned efforts to introduce the concepts of self-determination and sovereignty into the negotiations. The Government of Cyprus accepted the content of the resolution and the findings of the report and reaffirmed its willingness to cooperate with the Secretary-General and the Security Council in finding a solution to the Cyprus question.

102. Mr. AL-HABSHI (Oman) said that the United Nations had made enormous efforts to have South Africa end its inhuman policy of apartheid and to find a just and peaceful solution in the interests of the South African people. In spite of its best efforts, the Pretoria regime had not mended its ways, and the few positive reforms it had brought in had not fulfilled the aspirations of the international community. Apartheid had to be eliminated and, since "racial superiority" was an anachronism, Oman urged Member States to maintain at least a minimum of sanctions against the racist Pretoria regime until South Africa had complied with all United Nations resolutions.

103. Historically, the peoples of the African continent had enjoyed good relations, thus there was an urgent need to resolve the critical South African situation. In that regard, the International Convention on the Suppression and Punishment of the Crime of Apartheid was a positive contribution to ending the scourge of apartheid.

104. The Government of Oman wanted peace and security to prevail in the Middle East. That type of crisis was a serious threat to international peace and security and, in addition, was a source of tension, which had always led to instability and conflict. Unless the international community succeeded in resolving the situation and the other Arab Israeli problems, there would always be the possibility that new crises might arise. Dialogue was of supreme importance, and Oman had always supported the international community's efforts to achieve a peaceful and lasting solution to the Palestine question, in fulfilment of the relevant United Nations resolutions.

105. His Government welcomed the efforts made by the United States to arrange an Arab-Israeli peace conference in the Middle East, as well as the positive attitude of the two sides toward such a conference.

106. Although it urged all States to maintain good relations with Israel, in an attempt to convince it to end its policy of implanting settlements in the occupied Arab territories and oppressing the Palestinian people, Oman condemned that policy, which was the chief obstacle to any peace process.

(Mr. Al-Habshi, Oman)

107. With respect to Afghanistan, efforts must be redoubled in order to find a peaceful solution to the conflict. In that connection he drew attention to the United Nations efforts in that area, and in particular to the peace plan proposed by the Secretary-General.

108. Oman wished to put on record its satisfaction with the agreement between the United States and the USSR not to supply arms to the warring parties in Afghanistan. Undoubtedly, the tragedy of the Afghan people deserved close attention from the international community.

109. Ms. VARGAS (Nicaragua) said that racial discrimination and racism must be eliminated, since such practices struck at human dignity and prevented the full exercise of human rights. It had been amply demonstrated during the debate that most delegations were deeply concerned about the new manifestations of racism and racial discrimination in the world.

110. Unfortunately, open and latent racism and racial discrimination continued to exist in contemporary societies, as did other forms of discrimination such as xenophobia, extreme nationalism and discriminatory treatment of ethnic minorities, that were perhaps less visible but no less repugnant. Those evils continued to cause various crises, conflicts and even wars and, unless concrete measures were taken against them, there would always be the risk of new social upheavals occuring in some region or other of the world. Millions of people continued to suffer from racial discrimination, and no effective means had yet been found to eradicate it completely.

111. Nicaragua had always made known its opposition to any discriminatory practice and considered the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families an instrument whose implementation would contribute to better treatment of that important social group. The Government of Nicaragua was studying the Convention with much interest with a view to signing and ratifying it as soon as possible.

112. Nicaragua had always condemned racism and racial discrimination in all their forms and wished to reiterate its position that the only way to guarantee fundamental change in South Africa was through the outright elimination of apartheid. That could be best achieved through peaceful means and negotiations, and, although the renewed outbreak of violence of South Africa was cause for concern, her delegation noted with satisfaction the positive steps that were being taken to eliminate some discriminatory laws, and the recent adoption of the national peace accord. Much remained to be done, and Nicaragua urged that concrete measures should be taken to draw up a new constitution and so eliminate the discriminatory practices that still governed the lives of the indigenous South African people, so as to achieve a free, united, non-racist and democratic South Africa.

(Ms. Vargas, Nicaragua)

113. The struggle against racism and racial discrimination was still an arduous one and collective action and a firm political will would be necessary in order to meet the goals. The meeting held in Geneva by the Committee on the Elimination of Racial Discrimination and the Subcommission on Prevention of Discrimination and Protection of Minorities had been both timely and positive, and the item concerning discrimination against indigenous peoples and protection of ethnic minorities, which had been on the agenda of that meeting, was especially important. Her delegation supported the inclusion of a specific item concerning racial discrimination on the agenda of the next World Conference on Human Rights, to be held in Germany in 1993, and hoped that, at the Conference, the Committee would lay particular stress on the plight of indigenous populations and ethnic minorities, as those questions were of interest not only to Nicaragua but also to the whole of Latin America. Her delegation supported the Subcommission's suggestion that a special rapporteur should be appointed to update the study on racial discrimination.

114. Nicaragua fully supported the United Nations Declaration on the third Decade to Combat Racism and Racial Discrimination and welcomed the Coordinator's suggestion that the General Assembly should begin developing proposals for the Programme of Action, which should also include concrete measures to assist migrant workers and ethnic minorities.

115. Referring to General Assembly resolution 45/164, which proclaimed 1993 as International Year for the World's Indigenous Peoples, she said that her delegation would co-sponsor any draft resolution aimed at appointing a coordinator. She stressed that indigenous peoples must participate in the technical meetings to be held in 1992 and that an appeal must be made to States to contribute to the voluntary contributions fund for the convening of the meeting of the working group on indigenous people, to be held in 1993 in Latin America.

116. For Nicaragua, a multi-ethnic, multilingual and pluricultural nation, the question of discrimination against indigenous populations and their marginalization was of particular concern. In 1987, the National Assembly passed a law which recognized the economic, political, cultural, juridical, ecological and religious rights of those peoples and reaffirmed the principle of equality. Within the framework of that law, the Ministry of Education of Nicaragua intended, as one of its objectives, to improve the quality of intercultural bilingual education and to extend educational services to minorities. The new thrust of the Ministry's education policy reflected the conviction that the incorporation into society of the indigenous population and the encouragement given them to assert their own values would contribute to the development of educational programmes that responded to the needs of all ethnic groups in Nicaragua.

117. On the occasion of the historic Ibero-American Summit held in Mexico, the President of Nicaragua had subscribed to the Guadalajara Declaration, in which

(Ms. Vargas, Nicaragua)

the Heads of State recognized the immense contribution the indigenous peoples had made to the development and pluralism of their societies.

118. On the question of the report of the Special Rapporteur on the use of mercenaries, she said that Nicaragua had always defended the principle of the right of peoples to self-determination. Her Government, which had been elected because it endorsed that principle was gratified by the positive developments in the countries under review by the Special Rapporteur. It also welcomed the involvement of the United Nations in Western Sahara, Angola, Cyprus and Cambodia and expressed the hope that the initiatives of the Secretary of State of the United States of America would bear fruit and bring about a just and lasting peace in the Middle East, and an appropriate solution of the Palestine question. Nicaragua wished to place on record its vigorous condemnation of the military coup in Haiti, which was an attack against the democratic will of the Haitian people as expressed in recent elections.

119. Mr. NECAJ (Albania), speaking in exercise of the right of reply, said that the representative of Yugoslavia had accused his country of having territorial aspirations with respect to Yugoslavia and Serbia.

120. When the Yugoslav crisis began in 1981 with the bloody repression of the just demands of the Albanian people in Yugoslavia, the Albanians were branded as counterrevolutionaries and separatists and an anti-human campaign was waged against the entire adult population of Kosovo.

121. Yugoslavia had succeeded for more than 10 years in covering up the real cause of the Albanian situation in Yugoslavia. It was not Albania's fault that Yugoslavia was in the grip of a war among its various nationalities, nor had the Albanians urged the Yugoslav Army to attack the constituent Republics of Yugoslavia. Albania had always sought to settle its many problems by peaceful and democratic means.

122. The statement of the Albanian delegation contained no indication of territorial claims on Yugoslavia. There was only one nation, the Albanian nation, which had been living in its own territory long before the arrival of the Slavs in the Balkans. That nation had never had expansionist ambitions. Albania was one single nation but had been divided into two parts as a result of historical injustices. Albania demanded only that the Albanian people living in Yugoslavia should be a party to the negotiations on the future of Yugoslavia, since the Albanians were not a minority but comprised the third largest population in Yugoslavia. The Albanian people should enjoy the same rights as all the other peoples of that multinational country. That demand reflected the wishes of the Albanians in Yugoslavia, who had proclaimed their sovereign and independent Republic and its right to participate in the league of States or Republics of the future Yugoslavia.

123. The previous statement of the Albanian delegation merely repeated what had been stated time and again by the officials of the Yugoslav Federal

(Mr. Necaj, Albania)

Republic and the representatives of Kosovo and other Republics, with the exception of Serbia. The representative of Yugoslavia should also be the spokesman for the interests of the other parts of Yugoslavia and not only those of one particular Republic. His delegation hoped that the problems in Yugoslavia would not be settled to satisfy the wishes of one nationality only.

124. Ms. MEHTA (India), speaking in exercise of the right of reply, said that Pakistan, with its groundless charges against India, not only distracted the Committee from its work, but was also doing a disservice to good-neighbourly relations between the two countries.

125. Firstly, Pakistan's use of new and selective definitions of the concept of self-determination could only lead to a disruption of order and harmony within nations. Self-determination, as understood in the United Nations, was never applied to integral parts of an independent and sovereign State. The people of Jammu and Kashmir had participated in free elections several times as a result of which the Constituent Assembly of Jammu and Kashmir had endorsed the accession of that State to India.

126. She wished to draw the attention of the delegation of Pakistan to several important observations made in the Committee about the definition of the principle of self-determination. Pakistan's definition of that principle constituted an open interference in India's internal affairs. The real problem in the region was that Pakistan continued to occupy a part of Kashmir and from that position was interfering in India's internal affairs.

127. Secondly, on the question of human rights, she said that Jammu and Kashmir were plagued by terrorism aided and abetted by Pakistan. Terrorists killed people and committed gross violations of human rights. It had recently been reliably reported that Pakistan was providing arms, training and other support to the militants in Jammu and Kashmir. Indian police and other security forces were making strenuous attempts to protect the lives of millions of innocent men, women and children, and, if in that process, mistakes were made, India's laws ensured speedy investigation and redress.

128. Thirdly, there was no sense in engaging in a fruitless and misplaced dialogue in the Third Committee when India and Pakistan should in fact be seeking to implement the Simla Agreement, which provided, inter alia, that the two countries should refrain from committing acts that were detrimental to the maintenance of peace and from directing hostile propaganda against each other. It was clear that the attitude of the representative of Pakistan did not serve that purpose. The delegation of India appealed to Pakistan to abandon its negative attitude and to join India and other countries in the region in working towards a peaceful solution of all bilateral issues within the framework of the Simla Agreement.

The meeting rose at 6 p.m.

UNITED NATIONS

General Assembly

FORTY-SIXTH SESSION

Official Records

THIRD COMMITTEE
12th meeting
held on
Tuesday, 15 October 1991
at 6.00 p.m.
New York

SUMMARY RECORD OF THE 12th MEETING

Chairman: Mr. AL-SHAALI (United Arab Emirates)

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18 October 1991

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The meeting was called to order at 6.05 p.m.

AGENDA ITEM 92: ELIMINATION OF RACISM AND RACIAL DISCRIMINATION (continued) (A/46/3 (chap. IV, sect. A), A/46/18, 166, 183, 184, 344, 391, 447, 465, 493 and 501; A/C.3/46/2; E/1991/39)

AGENDA ITEM 93: RIGHT OF PEOPLES TO SELF-DETERMINATION (continued) (A/46/166, 184, 292, 294, 304, 344, 459 and 501)

1. Mr. JAAFARI (Syrian Arab Republic), speaking in exercise of the right of reply, said that as far back as 1947, Israel had been massacring Palestinians living in the part of Palestine allotted to them in accordance with the United Nations partition plan, evicting villagers and settling Jews in their place, just as today, it was settling Soviet immigrants in the occupied territories. It was an irony of history that one of the leading participants in the recent Zionist attacks against the homes of Palestinian citizens in occupied East Jerusalem, a deputy in the Israeli Knesset, had been none other than Geula Cohen, who in 1948, as a member of the Stern Gang, under the command of the current Prime Minister, Yitzhak Shamir, had been active in massacres of Palestinians, assassinations of British officers and the bombing of the King David Hotel.

2. Concerning the Israeli allegation that Arab Jews had sought refuge in Israel from Arab oppression, even Jewish historians had acknowledged that before the advent of zionism, the Jews had been well treated in Arab countries. Then, in the 1950s, David Ben-Gurion, the founder of Israel, had ordered Israeli intelligence to commit acts of sabotage against Jewish and American interests in Baghdad and Cairo so as to prompt Arab Jews to emigrate to Israel.

3. A number of Syrians of Jewish origin were being held in prison because they had been in contact with a State at war with Syria. No one could interfere in Syria's internal affairs. Israel must allow the 200,000 inhabitants of the Syrian Golan Heights and the millions of Palestinians deported from occupied Palestine to return to their homes and recover their land.

4. Mr. MARKS (United States of America) said that the remarks of the delegation of Cuba did not merit a reply, because they were not true.

5. For the sake of the Haitian people, one piece of disinformation must not be allowed to pass. President Bush, Secretary of State Baker and Ambassador Pickering had all condemned in unequivocal terms the recent assault on Haiti's democratically elected Government and the people of Haiti. The United States would not recognize the self-appointed junta or any other Government that might result from that illegal situation. Furthermore, it subscribed fully to the action of the Organization of American States on that issue. Support for democratic government everywhere in the world was a fundamental principle of the foreign policy of the United States.

6. Mr. BURCUOGLI (Turkey) said that the distorted allegations made concerning Cyprus were contrary to the facts and were inconsistent with Security Council resolutions 649 (1990) and 716 (1991). The real issue was how to get the island's Turkish and Greek communities, which were politically equal, to settle their differences and cooperate on creating a federal republic of Cyprus. It was important to refrain from any action or statement that was inconsistent with the goal of establishing a new federal, bi-zonal and bi-communal Cypriot State in which the two communities had equal powers and attributions. Turkey had been accused of fostering cessation: the opposite was true. His Government had been cooperating with the Secretary-General in his mission of good offices, and it was Turkey that had proposed the meeting referred to in paragraph 8 of Security Council resolution 716 (1991). It was unfortunate that the Greek Cypriots continued to use the same vain rhetoric they had been using for the last 28 years.

7. Mr. HUSSAIN (Pakistan) said that, the allegations of the Indian delegation notwithstanding, Kashmir remained a disputed territory and was recognized as such by the United Nations. The relevant resolutions of the Security Council calling for a determination of Kashmir's future through a free and impartial plebiscite under United Nations auspices remained as relevant and operative as ever. As far back as 1951, the then Indian Prime Minister Nehru had stated categorically that India had given its pledge to the people of Kashmir and to the United Nations to let the people of Kashmir decide.

8. In an attempt to divert attention from the atrocities being committed in the territory and the repressive measures adopted by India to suppress the Kashmiri demand for self-determination, the Indian delegation had made baseless allegations of interference by Pakistan. His Government reiterated its long-standing proposal, which India had consistently rejected, to establish a neutral mechanism under the United Nations auspices to monitor and investigate such accusations. India had also made the unfounded assertion that Pakistan had been abetting terrorism. The only terrorism in Kashmir was the one that had been unleashed by the Indian forces, who had introduced a ruthless reign of terror and repression that had been responsible for the deaths of more than 5,000 civilians and large-scale human rights violations, as documented by Amnesty International, Human Rights Watch, Asia Watch and even human rights organizations in India.

9. The Simla Agreement, to which reference had been made, had in no way altered the status of the disputed territory. It specifically provided that the United Nations Charter was to govern relations between the parties and did not exclude resorting to peaceful means to settle disputes. It was therefore incorrect to say that Pakistan had departed from the letter and spirit of the Agreement.

10. The Prime Minister of Pakistan, who had taken a number of initiatives to engage India in a constructive dialogue on the Kashmir dispute, had sent a special envoy to India to convey the message that a peaceful settlement of the

(Mr. Hussain, Pakistan)

Kashmir dispute would reduce tension in the South Asian region and enable Pakistan and India to concentrate on economic development.

11. Mr. KASOULIDES (Cyprus) said that his Government had consistently complied with the relevant resolutions of the Security Council on Cyprus. Notwithstanding the mandatory provisions of Security Council resolution 541 (1983), Turkey was the only country in the world that continued to occupy part of a sovereign State and Member of the United Nations.

12. Mr. SERGIWA (Libyan Arab Jamahiriya) referring to the baseless accusation made that morning by the Zionist representative, said that although Arabs rejected zionism, which was a racist, expansionist and colonialist movement, that did not mean that they were anti-Semitic. Jews had always lived and worshipped in Libya and other Arab countries and had been tolerated in the same way as any other minority. The Arab countries had granted refuge to large numbers of Jews fleeing nazism and many Jews still lived in those Arab countries. Libya welcomed any Jews of Libyan origin who wished to return to their Libyan homeland, including the Zionist representative himself, who had said that he was a Jew of Libyan origin.

13. Unlike the Muslim faith, which made no distinction between peoples, zionism, with its notion of the "chosen people", was a supremacist doctrine based on religious intolerance towards non-Jews.

14. Mr. MORA GODOY (Cuba), referring to a statement made in the afternoon of the previous day, said that, while the statement itself had not made any reference to Cuba, the text which had subsequently been distributed to all delegations, contained a paragraph which was devoted exclusively to Cuba. His delegation wondered whether that had been an oversight or just one more anti-Cuban provocation. He did not wish to mention the country by name, but it had been conducting a policy of aggression against Cuba for 30 years, had imposed a blockade upon Cuba, had invaded and continued to interfere in its domestic affairs.

15. The CHAIRMAN said that the Third Committee had thus concluded its consideration of agenda items 92 and 93.

The meeting rose at 6.35 p.m.